

Serial No. 08/942,673  
Examiner: FISCHERMANN, Bryan, R.  
Art Unit 3618

Page 2 of 7

**IN THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of the claims in the application:

**Claims 1-6 (Cancelled)**

7. **(Currently Amended)** A straddle-type vehicle comprising;

a frame;

two front wheels supporting the frame;

two rear wheels supporting the frame;

an engine having a combustion chamber;

a seat supported by the frame having a front portion positioned generally above the engine;

an air intake system channeling air to the combustion chamber of the engine~~operatively connected to the engine;~~

at least one opening adjacent a rear portion of the seat and supplying intake air to the air intake system; and

a pair of rear fenders provided adjacent the rear portion of the seat, each rear fender having a front portion, the at least one opening being located on the front portion of at least one of the rear fenders and entirely above a horizontal plane containing the uppermost portion of the rear wheels.

8. **(Cancelled)**

9. **(Previously Presented)** The straddle-type vehicle according to claim 7, wherein the at least one opening is a ventilation opening supplying air to both the air intake system and a radiator of the vehicle.

Serial No. 09/942,873  
Examiner: FISCHERMANN, Bryan, R.  
Art Unit 3618  
Page 3 of 7

10. **(Previously Presented)** The straddle-type vehicle according to claim 7, wherein the seat is located between the rear fenders, the air intake system including an intake pipe having an inlet end positioned adjacent a rear lateral portion of the seat.

11. **(Previously Presented)** The straddle-type vehicle according to claim 7, wherein the at least one opening includes a pair of openings, the pair of openings being located on respective rear fenders, such that the rear portion of the seat is disposed between the pair of openings.

12. **(Previously Presented)** The straddle-type vehicle according to claim 7, wherein the at least one opening is located on a respective rear fender generally rearward of the rearward portion of the seat.

13. **(Previously Presented)** The straddle-type vehicle according to claim 7, wherein the at least one opening is not located directly vertically over the engine.

14. **(Previously Presented)** The straddle-type vehicle according to claim 7, wherein the air intake system includes an intake pipe positioned so as to avoid interaction with a water wave created in a front portion of the vehicle when the vehicle travels through water.

15. **(Cancelled)**

16. **(Currently Amended)** The straddle-type vehicle according to claim 7, wherein the air intake system includes an air intake pipe, wherein an end of the air intake pipe extends ~~is located~~ within the seat.

Serial No. 09/942,673  
Examiner: FISCHERMANN, Bryan, R.  
Art Unit 3618

Page 4 of 7

17. **(Previously Presented)** The straddle-type vehicle according to claim 16, wherein the rear portion of the seat forms a hollow enclosure, an interior of the hollow enclosure being communicated with an end of the air intake pipe and the opening.

Claims 18 – 21 **(Cancelled)**

22. **(Previously Presented)** A straddle-type motor vehicle having front and rear wheels and being capable of traversing water having a predetermined depth, the vehicle comprising:

an engine;

a frame that mounts the engine;

an air intake box positioned adjacent the engine;

at least one opening in communication with the air intake box; and

rear fenders attached to the frame, the at least one opening being provided on at least one of the rear fenders,

the at least one opening being positioned on the vehicle rearward of and above the front wheels and so that a height of the opening is greater than the predetermined depth of the water, the at least one opening being positioned on the vehicle so as to avoid water entering the at least one opening due to encountering a water wave created in front of the vehicle that has a wave depth greater than the predetermined depth of the water, wherein the air intake box includes an intake pipe having an inlet end adjacent to only one of the rear fenders.

Claims 23 – 34 **(Cancelled)**